

RECEIVED  
USDC, WESTERN DISTRICT OF LA.  
TONY R. MOORE, CLERK  
DATE 11/9/09  
BY [Signature]

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

HERBERT J. SCULLY, JR.  
LA. DOC #331077  
VS.

CIVIL ACTION NO. 09-0893

SECTION P

JUDGE ROBERT G. JAMES

KEVIN WYLES, ET AL.

MAG. JUDGE KAREN L. HAYES

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record,

**IT IS ORDERED** that Plaintiff's civil rights complaint be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim for which relief may be granted in accordance with the provisions of 28 U.S.C. § 1915A.

MONROE, LOUISIANA, on this 6 day of November, 2009.

[Signature of Robert G. James]

ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE